

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-42 are pending in the present application. Claims 43-105 have been canceled without prejudice or disclaimer and Claims 1, 18, 23, 32, 35, and 37-42 are amended to even more clearly define the present invention without the introduction of any new matter. Support for the added recitation of the display of an indicator for activation at the terminal unit to cause downloading of the contents associated with the search results appearing in the paragraph bridging pages 49 and 50 of the specification, for example.

The outstanding Office Action presented a rejection of Claims 1, 2, 5-10, 12-19, 22-26, 28-32, and 35-42 under 35 U.S.C. §103(a) as being unpatentable over Tomita et al. (U.S. Patent No. 6,100,884, Tomita), a rejection of Claims 3, 11, 20, 27, 33, and 34 under 35 U.S.C. §103(a) as being unpatentable over Tomita in view of Yoshinobu et al. (U.S. Patent No. 6,100,884, Yoshinobu)¹, and a rejection of Claims 4 and 21 under 35 U.S.C. §103(a) as being unpatentable over Tomita in view of Pocock (U.S. Patent No. 6,314,577).

The present invention is concerned with a searching system for performing a particular kind of search of broadcast information as well as a method for performing that search and a record medium having a control program for controlling that search. In each aspect of the invention, the search results are displayed along with an indicator for activation at a unit to cause downloading of the contents associated with the results of the search.

¹ It appears that the indication of "Pocock" instead of Yoshinobu at the middle of page 8 of the outstanding Action was a typographical error as the statement of this rejection of Claims 3, 11, 20, 27, 33, and 34 includes no mention of "Pocock."

Turning to the rejection of Claims 1, 2, 5-10, 12-19, 22-26, 28-32, and 35-42 under 35 U.S.C. §103(a) as being unpatentable over Tomita, it is noted that Tomita does not, *inter alia*, teach or suggest the requirement of independent Claims 1, 18, 32, 35, and 37-42 for a display of an indicator for activation at a unit to cause downloading of the contents associated with the results of the search. Accordingly, the rejection of independent Claims 1, 18, 32, 35, and 37-42 as being obvious over Tomita is traversed as there has been no *prima facie* case of obviousness established that accounts for all the limitations of these independent claims.

Furthermore, as each of Claims 2, 5-10, and 12-17 ultimately depend from independent Claim 1 and each of Claims 19, 22-26, and 28-31 ultimately depend from independent Claim 18, the rejection of these dependent claims as being obvious over Tomita is traversed for the reasons noted above as to the parent independent claims.

In addition, each of Claims 2, 5-10, 12-17, 19, 22-26, and 28-31 adds further features to its respective independent base claim and these dependent claims are further believed to patentably define over Tomita because this reference fails to teach or suggest these added further features as well.

With further regard to the rejection of Claims 3, 11, 20, 27, 33, and 34 under 35 U.S.C. §103(a) as being unpatentable over Tomita in view of Yoshinobu, it is first noted that Yoshinobu does not cure the deficiencies noted above as to Tomita. As Claims 3 and 11 ultimately depend from independent Claim 1, Claims 20 and 27 depend directly from independent Claim 18, and Claims 33 and 34 directly from independent Claim 32, the rejection of these of these dependent claims as being obvious over Tomita in view of Yoshinobu is traversed for the reasons noted above as to the parent independent claims.

In addition, each of Claims 3, 11, 20, 27, 33, and 34 adds further features to its respective independent base claim and these dependent claims are further believed to patentably define over either of Tomita and Yoshinobu taken alone or together in any proper combination because these references fail to teach or suggest these added further features as well.

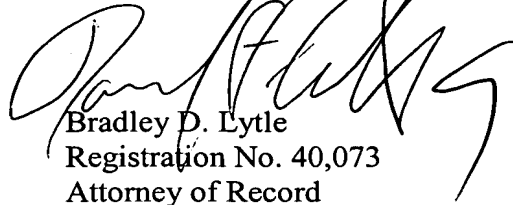
The rejection of Claims 4 and 21 under 35 U.S.C. §103(a) as being unpatentable over Tomita in view of Pocock is first of all traversed because Claim 4 depends on independent Claim 1 while Claim 21 depends on independent Claim 18 and Pocock cures none of the deficiencies of Tomita that were noted above as to the rejection of these independent Claims. In this respect, Pocock at best suggests the need to order an actual recording and contains no hint of displaying an indicator for activation at a unit to cause downloading of the contents associated with the results of the search as the independent claims all require.

Furthermore, each of Claims 4 and 21 adds further features to its respective independent base claim and these dependent claims are further believed to patentably define over either of Tomita and Pocock taken alone or together in any proper combination because these references fail to teach or suggest these added further features as well.

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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